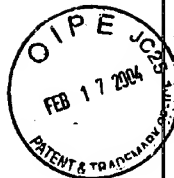


2651/8

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Applicants: David H. Davies; David L. Blankenbeckler; Michael Braitberg  
Assignee: DPHI Acquisitions, Inc.  
Title: First-side Dual Layer Optical Data Storage Disk and Method of Manufacturing the Same  
Application No.: 09/764,042 Filing Date: 01/16/2001  
Examiner: Krynski Group Art Unit: 2651  
Docket No.: M-9998 US

Irvine, California  
February 10, 2004

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

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FEB 24 2004

Technology Center 2600

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.56**

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

***Enclosed with this statement are the following:***

- ☒ Form PTO-1449 (*Substitute*). The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98 (*except where otherwise indicated for a specific citation*).

Complete copies are not submitted of U.S. applications per 37 C.F.R. §1.98(a)(2)(iii), and copies are not submitted of documents already cited or submitted in a parent application from which benefit under 35 U.S.C. §120 is claimed per 37 C.F.R. §1.98(d). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevancy is provided pursuant to 37 C.F.R. §1.98(a)(3). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. 57 F.R. 2021 (1/17/92). If a written

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02/23/2004 MBERHE 00000110 502257 09764042  
01 FC:1806 180.00 DA

- 1 -

Serial No. 09/764,042

English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement. 37 C.F.R. §1.98(c).

*This statement should be considered because:*

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within 3 months of the application filing date;  
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;  
-- OR --
- (3) It is being filed before the mailing date of a first Office action *on the merits*,  
-- OR --
- (4) It is being filed before the mailing date of a first Office action *after the filing of an RCE*

whichever occurs last.

☐ Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action and before a Notice of Allowance or another action closing prosecution (whichever occurs first)

-- AND (check at least one of the following) --

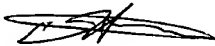
- ☐ (1) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p)  
-- OR --
- ☐ (2) It is accompanied by a CERTIFICATION as set forth in 37 C.F.R. §1.97(e)

☐ Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is accompanied by a CERTIFICATION as set forth in 37 C.F.R. §1.97(e);  
-- AND --
- (2) It is accompanied by a STATEMENT TO ACCEPT INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(d);  
-- AND --
- (3) It is accompanied by the fee set forth in 37 C.F.R. §1.17(p);  
-- AND --
- (4) The Issue Fee has not been paid prior to the submission.

- ☐ **Fee Authorization.** The Commissioner is hereby authorized to charge the \$180.00 fee required for this Information Disclosure Statement to Deposit Account No. 50-2257. Please charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-2257. A duplicate copy of this authorization is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 10, 2004.



Eric Hoover

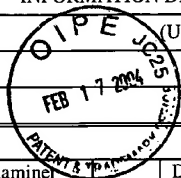
2/10/2004  
Date of Signature

Respectfully submitted,



Jon W. Hallman  
Attorney for Applicants  
Reg. No. 42,622

U.S. Department of Commerce, Patent and Trademark Office				Atty Docket No.		Serial No.	
				M-9998 US		09/764,042	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Applicant(s)			
(Use several sheets if necessary)				David H. Davies et al.			
				Filing Date		Group	
				01/16/2001		2651	
U.S. Patent Documents							
*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA 5,154,957	10/13/1992	Yamada et al.				
	AB 6,130,871	10/10/2000	Watabe				
	AC 6,154,437	11/28/2000	Utsunomiya et al.				
	AD 6,269,062	07/31/2001	Minemura et al.				
	AE 6,382,955	05/07/2002	Sandstrom				
	AF 6,404,708	06/11/2002	Lee				
	AG 6,580,683	06/17/2003	Braitberg et al.				
	AH 2002/0093901	07/18/2002	Davies et al.				
	AI 2002/0094405	07/18/2002	Medower et al.				
	AJ 2002/0021657	02/21/2002	Lee et al.				
Foreign Patent Documents							
						Translation	
	Document	Date	Country	Class	Subclass	Yes	No
	AK EP1126446	02/12/2001	EP				
	AE WO0225649	09/19/2001	WO				
	AM WO0175872	03/26/2001	WO				
	AN						
	AO						
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AP						
	AQ						
	AR						
Examiner		Date Considered					
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.							



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U.S. Patent Documents							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	2003/0161254	08/28/2003	Blankenbeckler et al.			
	AB	2002/0136984	09/26/2002	Blankenbeckler et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
Foreign Patent Documents							
							Translation
		Document	Date	Country	Class	Subclass	Yes No
	AL						
	AM						
	AN						
	AO						
	AP						
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AQ						
	AR						
	AS						
Examiner			Date Considered				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.							